

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

YVONDIA D. JOHNSON,

Plaintiff,

v.

CHRISTINE WORMUTH,
SECRETARY, DEPARTMENT OF
THE ARMY, U.S. DEPARTMENT OF
THE ARMY;

Defendant.

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CIVIL NO. A-21-CV-00831-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Susan Hightower. ECF No. 58. The report recommends that Plaintiff's Motion to Transfer Venue (ECF No. 47) be **DENIED** and Defendant's Motion for Summary Judgment (ECF No. 51) be **DENIED**. The report and recommendation was filed on April 1, 2024.

A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). A district court need not consider “[f]rivolous, conclusive, or general objections.” *Battle v. U.S. Parole Comm’n*, 834 F.2d 419, 421 (5th Cir. 1987) (quoting *Nettles v. Wainwright*, 677 F.2d 404, 410 n.8 (5th Cir. 1982) (en banc), *overruled on other grounds by Douglass v. United States Auto. Ass’n*, 79 F.3d 1415 (5th Cir. 1996)).

Plaintiff filed objections on April 15, 2024. ECF No. 59. The Court has conducted a *de novo* review of the motion to dismiss, the responses, the report and recommendation, the objection

to the report and recommendation, and the applicable laws. After that thorough review, the Court is persuaded that the Magistrate Judge's findings and recommendation should be adopted.

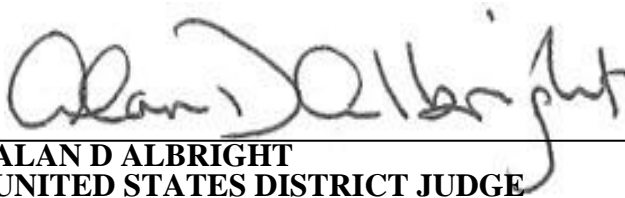
IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Susan Hightower, ECF No. 58, is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's objections are **OVERRULED**.

IT IS FURTHER ORDERED that Plaintiff's Motion to Transfer Venue, ECF No. 47, is **DENIED** in accordance with the Report and Recommendation.

IT IS FINALLY ORDERED that Defendant's Motion for Summary Judgment, ECF No. 51, is **DENIED** in accordance with the Report and Recommendation.

SIGNED this 24th day of April, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE